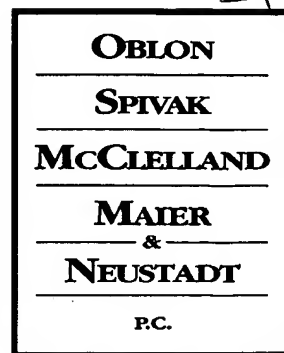




Docket No.: 235016US26

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 10/674,491  
Applicants: Jean-Pascal HIRT, et al.  
Filing Date: October 1, 2003  
For: AN EVALUATION OR DIAGNOSTIC KIT  
Group Art Unit: 3736  
Examiner: ROY, ANURADHA

SIR:

Attached hereto for filing are the following papers:

**PROVISIONAL ELECTION OF SPECIES**

Our check in the amount of **\$0.00** is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
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Steven P. Weihrouck

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Registration No. 43,922

DOCKET NO: 235016US26



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
JEAN-PASCAL HIRT, ET AL. : EXAMINER: ROY, ANURADHA  
SERIAL NO: 10/674,491 :  
FILED: OCTOBER 1, 2003 : GROUP ART UNIT: 3736  
FOR: AN EVALUATION OR :  
DIAGNOSTIC KIT :

**PROVISIONAL ELECTION OF SPECIES**

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

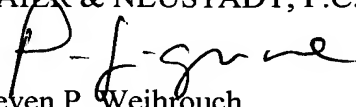
SIR:

In response to the Office communication of June 16, 2006 and the second Election of Species Requirement dated February 24, 2006, Applicants provisionally elect from Group 1, Species A and lists Claims 1, 4, 9-12, 15, 18-20, 22-24, 30-44, 50-52, 54-56, 71, 73-79 as readable thereon; from Group 2, Species II and lists Claim 6 as readable thereon; from Group 3, Species AII and lists Claim 8 as readable thereon; from Group 4, Species BI and lists Claims 13, 17, 45 and 49 as readable thereon; and from Group 5, Species CI and lists Claims 22 and 54 as readable thereon. Applicants are entitled to consideration of claims, directed to additional non-elected species, which include the limitations of an allowable generic claim, as provided by 37 C.F.R. 1.141(a).

Therefore, Applicants respectfully request that a full examination on the merits be conducted.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



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